

place of a joint or consolidated hearing, the applicant shall give public notice of the application and hearing. The notice shall be given by publication [one] ONCE in each of two successive weeks prior to the hearing in a newspaper of general circulation within each county in which the project is to be located. The coordinator shall cause the notice to be published also in the Maryland Register.

64.

(a) A State agency is entitled to an extension of the time specified in § 60 (c) for conducting or participating in a hearing, and of the time specified in § 63 for making a decision on the application if it (1) determines in writing that the application and appendices are lacking in specific required information or that technical information, tests or studies are necessary for consideration of the application, or that new information requiring further evaluation has been obtained from the public hearing, (2) states the specific information, tests, and studies needed, and (3) states the time required for their completion, if the information, tests, or studies are not required to be submitted by or on behalf of the applicant. [this] THIS determination shall be delivered to the coordinator and to the applicant not later than 10 days prior to the scheduled hearing date.

(c) The applicant may appeal the agency's determination to the agency's board of review, or, in the event that the agency has no board of review, or if the board of review has no jurisdiction to review the permit, the matter may then be appealed[,] to the Board of Public Works on the grounds that the specific information, test, or study is unnecessary or that the time stated by the agency for its completion is unreasonable. The appeal shall be taken within 30 days after the determination is delivered to the applicant. The board of review, or the Board of Public Works, shall promptly consider the appeal, and may affirm, modify, or reverse the agency's determination, and determine a new hearing date with respect to the application. The burden shall be upon the applicant to show that the agency's determination was improper. The agency shall continue its evaluation of the project, including tests and studies, through the appeal procedure.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved April 1, 1976.